

Notice of Allowability

Application No.

09/498,375

Applicant(s)

ITO ET AL.

Examiner

Rodney G. McDonald

Art Unit

1753

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4-7-04.
2. ☒ The allowed claim(s) is/are 1-30,33-42 and 73.
3. ☒ The drawings filed on 23 April 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

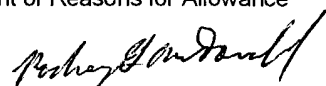
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Rodney G. McDonald
Primary Examiner
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REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claims 1-14 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter with the removal claw having an inclined section configured to go into a section between a rear surface of the substrate and a top surface of the substrate holder to mechanically peel off the adsorbed substrate from the substrate holder.

Claims 15-18 and 73 are indicated as being allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a groove section which extends from a portion where said substrate holder contacts said substrate when said substrate holder is holding said substrate to a portion where said substrate holder does not contact said substrate when said substrate holder is holding said substrate; and a porous member which can allow air to pass through provided within said groove section in which the surface of the porous member is at a same level as the surface of the substrate holder.

Claims 19-22 are allowable over the prior art of record because the prior art of record does not teach the optical disk substrate film-formation apparatus having the substrate holder located between the film-formation chamber in which film formation for a substrate is performed and a substrate carriage chamber in which a pressure is maintained at a lower level than in the film-formation chamber and wherein the through-hole directly communicates with air within the substrate carriage chamber.

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Claims 23-29 are allowable over the prior art of record because the prior art of record does not teach an optical disk substrate film-formation apparatus comprising a substrate holder which holds thereon an optical disk substrate as an object for film formation, an inner mask which masks a specified area on an inner side of the optical disk; and an outer mask which masks a specified area on an outer side of the optical disk; wherein the inner mask and the outer mask being used for forming a thin-film on a surface of the optical disk substrate, said substrate holder having, a substrate holding section which contacts the optical disk substrate on the rear surface of the optical disk substrate but in a portion where the thin-film has been formed on the front surface, wherein the substrate holding section contact the optical disk substrate in the portion extending between a line which is 2 to 10 mm on the outer side of an edge of the inner mask and a line which is 0.5 to 5 mm on the inner side of an inner edge of the outer mask.

Claims 30 and 33-42 are indicated as being allowable over the prior art of record because the prior art of record does not teach an optical disk substrate film-formation apparatus used for sputter film formation in which a laminated film is formed by combining any one or two or more of a reflection layer, a recording layer, a protection layer, or a dielectric body layer on a disk substrate in an optical disk manufacture step comprising: a gas supply section for introduction of gas in the substrate holder side in a limited portion between a substrate setting surface of the substrate holder and a film-formed substrate, and at least a closed space section in the area formed in the substrate holder side because of contact between the substrate and substrate holder,

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wherein gas is supplied from the gas supply section during a period from a time point when sputter film formation is finished until a time point when a substrate is carrier out, and wherein the gas supplied from the gas supply section is also used as vent-gas for a load lock chamber between atmosphere for inserting a substrate into or carrying out from the optical disk substrate film-formation apparatus and vacuum.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney G. McDonald
Primary Examiner
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RM
April 12, 2004